

**REMARKS**

The Decision on Appeal dated March 5, 2005 has been received and its contents carefully reviewed.

Claims 1 and 16 have been amended, and claims 13 and 32 have been canceled. Claims 1-12, 14-31, and 33-34 remain pending in this application.

In the previous Office Action, claims 1-34 are rejected under 35 U.S.C. § 112, first paragraph, as being broader than the enabling disclosure. Claims 1-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,873,382 to Chang et al. (hereinafter "Chang") in view of U.S. Patent No. 6,448,158 to Peng et al. (hereinafter "Peng"). Claims 1-34 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Chang in view of Peng.

The rejection under 35 U.S.C. 112 is now moot in light of the amendments to claims 1 and 16.

The present invention is assigned to LG.Philips LCD Co., Ltd., which assignment is recorded at reel 14816, frame 789. Chang is also assigned to LG.Philips LCD Co., Ltd., which assignment is recorded at reel 14004, frame 421. The present invention at the time the invention was made was subject to an obligation of assignment to LG.Philips LCD Co., Ltd. Therefore, under 35 U.S.C. § 103(c), Chang cannot be applied as prior art against claims 1, 10-13, and 26-28. Therefore, as Peng by itself is insufficient to reject claims 1-34, Applicants respectfully submit that claims 1-34 are allowable over the cited art.

The Applicants will file a terminal disclaimer upon an indication that the claims are otherwise allowable to overcome the nonstatutory double patenting rejection over Chang in view of Peng.

Applicants believe the foregoing remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps


necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. *A duplicate copy of this sheet is enclosed.*

Respectfully submitted,

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